

TOWN OF EAST HAMPTON AGENDA REPORT

Agenda Item: 7B

Item to be presented by: Jeff Jylkka
Finance Director

DATE: April 10, 2012
SUBJECT: Senior Center Capital Equipment
DEPARTMENT: Capital Reserve Fund

RECOMMENDED ACTION

To transfer \$23,000 from the Capital Reserve Fund Contingency account to fund Senior Center furniture (\$10,000) and a room partition (\$13,000) as recommended by the Board of Finance on 03-26-2012. Accounts to be transferred to/from are below:

From

Capital Reserve Fund - Contingency	50120000-5990	\$ 23,000
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To

Senior Center Furniture	50330000-5743-39010	\$ 10,000
Senior Center Building	50330000-5720-39010	13,000

BACKGROUND

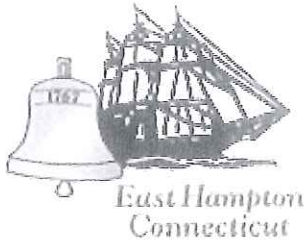
The above transfer is being requested to fund senior center capital items that were included as part of the Town Manager's 2012-2013 Capital Improvement Plan. The authorization of funding now will allow the Senior Center to purchase these items in the current fiscal year.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

Funding is from the Capital reserve fund contingency account. There is currently \$55,376 available.



TOWN OF EAST HAMPTON

Public Works Department
20 East High Street
East Hampton, Connecticut 06424
(860) 267-4747

AGENDA
ITEM # 9C

To: John Weichel, Intern Town Manager
From: Keith Hayden, Director of Public Works 
Subject: IWWAs procedural changes in response to Permit Compliance
Analysis for 68 Spellman's Point Road by John Pagini

The IWWA has already changed the permit application to include:

- Pictures of areas where trees will be removed.

- A narrative describing impacts to vegetation.


- A colored map showing proposed cuts and fills.

- The limits of disturbance to be clearly shown on the plans.

- Construction phasing and timing has to be clearly indicated on the application.

A copy of Mr. Pagini's report was distributed to the IWWA for review and discussion at the February meeting. At the March meeting several members had not reviewed the report and discussion was postponed until the April meeting. I will keep you informed on any additional changes to procedures resulting from that discussion.

INTEROFFICE MEMORANDUM

TO: JOHN WEICHSEL, TOWN MANAGER
FROM: JAMES CAREY, ADMINISTRATOR PZ&B 
SUBJECT: IMPLEMENTATION OF FINDINGS IN THE PAGINI REPORT, 68 SPELLMAN PT RD.
DATE: 3/27/2012
CC: FILE

HOW TO USE THIS MEMO TEMPLATE

Following review of the Pagini report of Feb. 23, 2012, regarding regulatory actions taken by the P&Z for construction at 68 Spellman Pt. Rd., the Planning and Zoning Commission directed staff to edit the Zoning Regulations to correctly indicate the actions taken by the Commission in 2003. These actions included the removal of references to Section 7.11 and requirements that activities involving activities within 100' of wetlands and watercourses be by Special Permit. These edits have been made.

(A copy of the Minutes of the March 7, 2012 Planning and Zoning Commission meeting have been attached to help clarify the Sections that have been deleted.)

The Commission has tasked staff to review, reformat and reorganize the Zoning Regulations as an important part of the Department's goals for FY 12-13. A budget request has been made to facilitate that task. If funded, some of the more minor recommendations of the Pagini report, (additional definitions, the inclusion of reference publications etc. It is my hope that the final budget is approved so that this work can be expedited.

8. Old Business:

A. Regulations - Discussion of Recent Corrections:

Mr. Carey explained that the report of John D. Pagini, AICP, Land Use Planner regarding the Permit Compliance Analysis for 68 Spellman Point Road and Recommendations for the Town of East Hampton future land use applications dated February 23, 2012 has been completed and copies have been provided to the Commissioners. The report refers to confusion in the East Hampton Planning and Zoning Regulations, Section 7 – Permitted Land Uses. In 2003 the IWWA adopted a wetland review area of 100'. At which time jurisdiction over activity in that review area was transferred to the IWWA and the P&Z was relieved of the responsibility to issue special permits for activity in the wetbelt. On March 5, 2003 the PZC voted to remove Section 7.11, Wetbelt, from the P&Z Regulations and recognize the jurisdiction of the IWWA. On August 6, 2003, and December 3, 2003 the PZC voted to remove the special permit requirement from the R-1, 2, 3, 4, C, I, and POR Zones of the P&Z Regulations. Since that time the Regulation has included in the Special Permit Uses for each individual zone (excluding RL, VC [created in 2011], HOD [created in 2008], and MUD [created in 2011] language that read, "All uses or development within one hundred feet (100') of wetlands or watercourses in accordance with the Inland Wetlands and Watercourses Regulations (revised – effective [date varied between August 9, 2003 or December 6, 2003])." This language is where the confusion lies.

Mr. Carey indicated that since 2003 no applicant has been advised to apply to the PZC for a wetbelt special permit. After careful review of the minutes, motions by the PZC, publication dates of the legal notices, and meeting with the Town's land use attorney, the Regulation has been corrected and all references to "All uses or development within one hundred feet (100') of wetlands or watercourses in accordance with the Inland Wetlands and Watercourses Regulations (revised – effective [date varied between August 9, 2003 or December 6, 2003])." have been removed from the Regulations.

The Town's land use attorney has reviewed the minutes, motions, and legal notices and advised Mr. Carey that to remedy the confusing language in the Regulations would not require any additional activity by the Commission because it had already been appropriately removed from the Regulations by the Commission. The text of the Regulation shall simply be changed to affect the intention of the Commission as was clearly documented by the minutes, motions, and legal notices in 2003.

The timeline for the text changes to the East Hampton Planning and Zoning Regulations as documented by the Planning, Zoning & Building Department and reported by John D. Pagini, AICP, Land Use Planner, to John Weichsel, Interim Town Manager, on February 23, 2012 is as follows:

- 03/05/2003 P&Z Regular Meeting, Agenda Item No. 7.A, Public Hearing for Regulation Revision-Section 7.11 (wetbelt): After deliberation and public comments motion was made by Peter Aarrestad and seconded by James Sennett, "that the East Hampton Planning and Zoning Commission approves the deletions of Section 7.11 (wetbelt) from the Zoning Regulations and renames it 'For Reserved Future Use'. For the following reasons: The Inland Wetlands Commission has revised their regulations to address the wetbelt area, to protect and preserve wetlands more comprehensively than with the two commissions' reviewing it. It's a good idea and will stream line the process and allow the IWWA to do their job real well." The vote was unanimous in favor of the motion.

- 03/08/2003 Action Legal published in the Middletown Press.
- 08/06/2003 P&Z Regular Meeting, Agenda Item No. 7.B, Public Hearing for Proposed Subdivision and Zoning Regulations Changes: After deliberation and public comments regarding various suggested revisions, omissions, and changes including "Delete the following 7.1.3A, 7.2.3A, 7.3.3A, 7.6.2A, 7.7.2A, 7.8.3A, 7.9.1A," Richard Edwards made a motion, seconded by William McDonald, "that the East Hampton Planning and Zoning Commission approve changes made to the Subdivision and Planning and Zoning Regulations." The vote was unanimous in favor of the motion.
- 08/09/2003 Action Legal published in the Middletown Press.
- 12/03/2003 P&Z Regular Meeting, Agenda Item No. 6.F, Public Hearing for Proposed Regulations Changes to the East Hampton Zoning Regulations, the East Hampton Subdivision Regulations: After deliberation and stating "The Commission agreed with the proposed changes/amendments for Definitions-Wetlands, Section 6.1, Section 7.1.3A, 7.2.3A, 7.3.3A, 7.4.3A, 7.6.2A, 7.7.2A, 7.8.3A, 7.9.1A" and hearing public comments and further deliberation, Raymond Zatorski moved, and James Sennett seconded, that the Planning and Zoning Commission pass all proposed changes/amendments with the exception of the Bulk Table, the Salmon River Protection Area, and the Conservation Subdivision and include those items in the East Hampton Planning and Zoning Regulations and Subdivision Regulations so amended this evening and to be effective as of December 8, 2003. The vote was unanimous in favor of the motion.
- 12/06/2003 Action Legal published in the Middletown Press.
- 02/28/2012 Meeting with Town Land Use Attorney, Jean D'Aquila. Planning, Zoning & Building Administrator instructed to remove confusing language from the Planning & Zoning Regulations as initiated and intended by the Planning & Zoning Commission in 2003.
- 02/29/2012 Planning, Zoning & Building Department staff removed the confusing language from the Planning & Zoning Regulations as instructed by the Town Attorney.

The Commission would like it to be on the record that five of the currently seated members on this Commission were active members of the Planning and Zoning Commission in 2003. Messrs. Aarrestad, Philhower, Rux, Sennett, and Zatorski were all active members on this Commission at the time of the 2003 text amendments.

Nancy Hasselman, CCMC
Collector of Revenue
Town of East Hampton

April 20, 2012

To: The East Hampton Town Council

Please find copies of tax refunds for your review. The total refunds equal \$343.20.

Thank you for your assistance.

Nancy Hasselman, CCMC

Nancy Hasselman, CCMC
Collector of Revenue

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61 • 12	+
208 • 17	+
23 • 36	+
50 • 55	+
343 • 20	*